

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

5:12-CR-3-1H
5:16-CV-46-H

LAWRENCE WILDER,)	
)	
Petitioner,)	
)	
v.)	ORDER
)	
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

This matter is before the court on petitioner's motion for reconsideration, [DE #90], asking this court to reconsider its order and judgment, [DE #88 and #89], dismissing petitioner's motion to vacate pursuant to 28 U.S.C. § 2255 for lack of jurisdiction.

Courts have generally recognized three grounds for altering or amending judgments under Federal Rule of Civil Procedure 59(e). See Hutchinson v. Staton, 994 F.2d 1076, 1081 (4th Cir. 1993). Specifically, courts will alter or amend "an earlier judgment: (1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or prevent manifest injustice." Id. (citing Weyerhaeuser Corp. v. Koppers Co., 771 F.Supp. 1406, 1419 (D. Md.


1991) and Atkins v. Marathon LeTourneau Co., 130 F.R.D. 625, 626 (S.D. Miss. 1990)).

The court, having reviewed petitioner's motion as well as the record in this matter, finds no reason to alter or amend its prior order and judgment. Therefore, petitioner's motion for reconsideration [DE #90] is DENIED.

Petitioner also filed a motion for a new trial, [DE #97]; a motion for a retrial or to dismiss all charges, [DE #101]; a motion to appoint counsel, motion to dismiss, motion for new trial, and motion for recusal, [DE #107]; and a motion to appoint counsel, motion to change venue and for recusal [DE #108], which motions are denied for lack of good cause shown.

Finally, petitioner asks this court to grant a certificate of appealability. The court finds no reason to alter its prior order denying a certificate of appealability.

This 23rd day of April 2020.


MALCOLM J. HOWARD
Senior United States District Judge

At Greenville, NC
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